



**U.S. Department of Justice**

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October 7, 2021

The Honorable Nancy E. Brasel  
United States District Court  
316 North Robert Street  
St. Paul, MN 55101

**Re: *Roe, et al. v. Allina Health System, et al.*,  
No. 21-cv-2127 (NEB/HB)**

Dear Judge Brasel,

Along with AUSAs Voss and Repp, I represent Federal Defendants Xavier Becerra, United States Department of Health and Human Services, Rochelle P. Walensky, Centers for Disease Control and Prevention, and Centers for Medicare & Medicaid Services in the above case.

I met and conferred with Plaintiff's counsel on October 6, 2021 regarding Plaintiffs' pending Motion for Temporary Restraining Order and Preliminary Injunction, ECF No. 3. Plaintiffs' counsel confirmed that Plaintiffs do not by their pending Motion seek a temporary restraining order or preliminary injunctive relief as to Federal Defendants. This agreement by Plaintiffs and Federal Defendants only relates to the pending motion for Temporary Restraining Order and Preliminary Injunction to be heard on October 12, 2021, and does not preclude Plaintiffs from seeking additional injunctive relief against the Federal Defendants at a later time.

Accordingly, Federal Defendants will not submit a response to Plaintiffs' Motion for Temporary Restraining Order and Preliminary Injunction, unless directed otherwise by the Court. Counsel for Federal Defendants will attend the October 12, 2021 hearing.

Sincerely,

W. ANDERS FOLK  
Acting United States Attorney

*s/ Andrew Tweeten*

By: ANDREW TWEETEN  
Assistant United States Attorney